

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

IN RE: CASE NO. 06-10532)	
)	
CONNIE LEE FUGATE)	
)	
Debtor)	
)	
)	
IN DEPT OF WORKFORCE DEVELOPMENT)	
)	
Plaintiff)	
)	
vs.)	PROC. NO. 06-1264
)	
CONNIE LEE FUGATE)	
)	
Defendant)	

DECISION AND ORDER

At Fort Wayne, Indiana, on August 31, 2006.

Plaintiff's motion for default judgment, filed on August 30, 2006, is DENIED due to Plaintiff's failure to serve the summons and complaint as required by Bankruptcy Rule 7004(b)(9), which requires mailing "the summons and complaint to the debtor. . .and, if the debtor is represented by an attorney, to the attorney. . . ." In this case, debtor is represented by counsel to wit Edward Craig.

SO ORDERED.

/s/ Robert E. Grant
Judge, United States Bankruptcy Court